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August 13, 2002

TO: OFFICE OF PETITIONS  
Attention: Doris  
FACSIMILE NO.: 703-308-6916 *RECEIVED*

FROM: Roland E. Martin  
TELEPHONE NO.: 703-412-6243

RE: SERIAL NO.: 09/890,969  
FILED: August 8, 2001  
DOCKET NO.: 211815US0 PCT

## ATTORNEYS AT LAW

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RMARTIN@OBLON.COM

\*BAR OTHER THAN VIRGINIA

FAX RECEIVED

AUG 13 2002

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 15 PETITIONS OFFICE

COMMENTS

Pursuant to our telephone discussion today regarding the Petition under 37 C.F.R. §1.47(a) filed in the USPTO on April 11, 2002 and, pursuant to your request, please find attached hereto a photocopy of all papers as filed on April 11, 2002, including a photocopy of the date-stamped filing receipt evidencing this filing.

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AUG 13 2002

PETITIONS OFFICE

OSMM&amp;N File No. 21181SUSOPCI

Dept.: CHEMICAL

By: NFO:REM:iot

Serial No. 09/890,969

In the matter of the Application of: Bang LUU et al.

For: PREVENTIVE AND THERAPEUTIC DRUG FOR  
NEURODEGENERATIVE DISEASE

The following has been received in the U.S. Patent Office on the date stamped hereon:

- |   |                 |   |
|---|-----------------|---|
| <input type="checkbox"/> pp. Specification  | Claims/Drawings | Sheets  |
| and pages Application Data Sheet  |                 |   |
| <input checked="" type="checkbox"/> Combined Declaration, Petition & Power of Attorney  |                 | 5 pages (executed)  |
| <input type="checkbox"/> List of Inventor Names and Addresses   |                 |   |
| <input type="checkbox"/> Utility Patent Application Transmittal   |                 | <input type="checkbox"/> CPA                              |
| <input type="checkbox"/> Notice of Priority   |                 | <input type="checkbox"/> Priority Doc                     |
| <input checked="" type="checkbox"/> Check for \$2 220.00  |                 | <input checked="" type="checkbox"/> Dep. Acct. Order Form |
| <input type="checkbox"/> Fee Transmittal Form   |                 |   |
| <input type="checkbox"/> Assignment/PTO 1595 pages:   |                 |   |
| <input type="checkbox"/> Letter to Official Draftsman   |                 |   |
| <input type="checkbox"/> Letter Requesting Approval of Drawing Changes  |                 |   |
| <input type="checkbox"/> Drawings sheets <input type="checkbox"/> Formal  |                 |   |
| <input checked="" type="checkbox"/> Petition Under 37 §1.47(a) w/Attached Exhibits A and B  |                 |   |
| <input checked="" type="checkbox"/> PTO Cover Letter  |                 |   |
| <input type="checkbox"/> Information Disclosure Statement   |                 | <input type="checkbox"/> PTO-1449                         |
| <input type="checkbox"/> Cited References   |                 |   |
| <input type="checkbox"/> Search Report  |                 |   |
| <input type="checkbox"/> Statement of Relevancy   |                 | <input type="checkbox"/> Cited Pending Applications       |
| <input type="checkbox"/> IDS/Related/List of Related Cases  |                 |   |
| <input type="checkbox"/> Restriction Response   |                 | <input type="checkbox"/> Election Response                |
| <input checked="" type="checkbox"/> Return Copy - Notification of Missing Requirements Under 35 USC in the United States Designated/Elected Office (DO/EO/US) |                 |   |
| <input checked="" type="checkbox"/> Filing of Declaration Under 37 CFR 1.53(f)  |                 |   |
| <input checked="" type="checkbox"/> Request for Extension of Time (five months)   |                 |   |
| <input type="checkbox"/> Brief  |                 |   |
| <input type="checkbox"/> Issue Fee Transmittal  |                 |   |
| <input type="checkbox"/> White Advance Serial Number Card   |                 |   |
| <input type="checkbox"/> Small Entity Status is Claimed   |                 |   |
| <input type="checkbox"/>  |                 |   |
| <input type="checkbox"/>  |                 |   |



Due Date: April 11, 2002

**OBLON**  
**SPIVAK**  
**MCCLELLAND**  
**MAIER**  
**&**  
**NEUSTADT**  
**P.C.**

**ATTENTION: APPLICATIONS BRANCH**

**THIS IS A RESPONSE TO A  
NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED  
STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US)**

ASSISTANT COMMISSIONER FOR PATENTS BOX PCT  
WASHINGTON, D.C. 20231

Re: Serial No.: 09/890,969  
Applicant(s): Bang LUU et al.  
Filing Date: AUGUST 8, 2001  
For: PREVENTIVE AND THERAPEUTIC DRUG  
FOR NEURODEGENERATIVE DISEASE

**ATTORNEYS AT LAW**

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(703) 413-3000  
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\*BAR OTHER THAN VIRGINIA

**FAX RECEIVED**

AUG 13 2002

**PETITIONS OFFICE**

SIR:

Attached hereto for filing are the following papers:

Filing of Declaration Under 37 CFR §1.53(f)  
Declaration, Power of Attorney and Petition (5 pages executed)  
Return Copy - Notification of Missing Requirements Under 35 U.S.C. 371 in the United States  
Designated/Elected Office(DO/EO/US)  
Petition Under 37 C.F.R. §1.47(a) w/Attached Exhibit A and B  
Request for Extension of Time (five months)

Our check in the amount of \$2,220.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the U.S. Patent and Trademark Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Docket No. 211815US0PCT

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 11/98)

Norman F. Oblon  
Registration No. 24,618

Roland E. Martin  
Registration No. 48,082

1755 JEFFERSON DAVIS HIGHWAY ■ FOURTH FLOOR ■ ARLINGTON, VIRGINIA 22202 ■ U.S.A.  
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ [www.OBLON.COM](http://www.OBLON.COM)

Docket No.

211815US0PCT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bang LUU et al.

ATTN: APPLICATION BRANCH

SERIAL NUMBER: 09/890,969

FILING DATE: AUGUST 8, 2001

FOR: PREVENTIVE AND THERAPEUTIC DRUG FOR NEURODEGENERATIVE DISEASE

## FILING OF DECLARATION UNDER 37 CFR 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS BOX PCT  
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated SEPTEMBER 11, 2001, and in accordance with the provisions of 37 CFR 1.53(f),  
Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the following information:

Name(s) of Inventor(s)

Title of Invention

Attorney Docket Number

Filing Date

thereby adequately identifying the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP  
Section 601.01.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action  
is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



22850

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(CSMMN 7/98)

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Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Roland E. Martin  
Registration No. 41,504

8957948

# 4/

Exhibit A**TOKYO TECHNOPAT CORPORATION**ASSOCIATED WITH  
ARUGA PATENT OFFICE

December 11, 2001

KYODO BLDG, 1-3-6  
NIHONBASHI NINGYOCHO  
CHUO-KU, TOKYO 103-0018  
JAPAN

Dr. Philippe Chabert  
9, rue du Temple,  
68300  
Saint-Louis,  
France

Phone: 03-3689-0904  
Facsimile (FAX): 03-3689-8610  
03-5695-7948  
EMAIL: apo@firm.email.ne.jp

via DHL

Dear Dr. Chabert:

This letter might come as a surprise to you especially since we have never met or discussed before. We are a Japanese patent attorney firm that have now been authorized by MEIJI DAIRIES CORPORATION to handle an important patent application of this Japanese company. This company has all the rights to file said patent application and seek its patent protection in any country, on the basis of the contract agreed on between this company and your country's institute University Louis Pasteur.

From this institute we were informed that Mr. Philippe Chabert is one of co-researchers having participated in the invention related to the above-mentioned patent application, and suggested that we should send you a letter asking your cooperation if such need happens in connection with the above-mentioned application.

Presently we are preparing a regional patent application to file in each country of Europe, U.S.A., Canada and Japan, but under the Patent Law of U.S.A. we are required to submit two formal documents (i.e., "Assignment of Application" and "Declaration and Power of Attorney for Patent Application) signed and dated by individual co-researchers. The similar requirement is stipulated in the Canadian Patent Law under which we must submit an Assignment executed by individual co-researchers.

As you can find from the attached forms, we have already obtained the signature and date of the other co-researchers participated in the invention. And therefore, it would be highly appreciated if we could be quickly returned from you all the forms completed by filling your signature and date in the blanks indicated by arrow marks.

Very truly yours,  
**TOKYO TECHNOPAT CORPORATION**

Toshio Nakajima  
Toshio NAKAJIMA  
Patent Attorney

TN/as  
Encls.:

02-4-8:13:14 7/17/2002

696/948

# 27



Air Cargo Receipt  
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**10.5**

**TOKYO TECHNOPAT CORPORATION**

KYODO BLDG.,  
1-3-6 NIHOMBASHI NINGYO-CHO  
CHUO-KU, TOKYO  
JAPAN

03-3669-0904

- DTD
- WPK
- EDI
- DPM
- OTHERS.....

**DOCUMENTS  
DESCRIPTION OF DOCUMENTS**

DR. PHILIPPE CHABERT

9 RUE DU TEMPLE,  
60300 SAINT-LOUIS

DATE

**12/11**

ADDITIONAL INFORMATION  
AIR MAIL - AIR MAIL  
AIR MAIL - AIR MAIL  
AIR MAIL - AIR MAIL  
Please file for packing  
consignment notes and other

PTOMC

02-3-28 13:14

**TOKYO TECHNOPAT CORPORATION**ASSOCIATED WITH  
ARLIGA PATENT OFFICEKYODO BLDG. 13-6  
NIHONBASHI NINGYODHO  
CHUOKU, TOKYO 103-0018  
JAPANPhone: 03-3669-0904  
Facsimile (03): 03-3669-8810  
03-3669-7948  
EMAIL: apof@im.email.ne.jp

January 24, 2002

Dr. Philippe Chabert  
9, rue du Temple,  
68300  
Saint-Louis,  
France

Express Mail

Dear Dr. Chabert:

We are sending you this letter to call up your attention to our previous letter of December 11, 2001, in which we explained that we must submit the deeds (Assignment and Power of Attorney) signed by all co-inventors including you, to the patent office of each country of U.S.A. and Canada. Since we have not yet received your return, we are now pressed from both patent offices to submit said deeds as soon as possible. Therefore, we would sincerely request you that if there is no specific reason inconvenient to you, please sign the deeds and return the same to us quickly thereafter.

Very truly yours,

Toshio Nakajima  
Toshio NAKAJIMA  
Patent Attorney

TN/as

03 308 6916

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
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RECEPTION OK

TX/RX NO	7541
CONNECTION TEL	703 413 2220
CONNECTION ID	
START TIME	08/13(TU)15:42
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RESULT	OK